

CONFIDENTIAL

Arnold W. Reitze, Jr.*
Of Counsel
*Admitted in VA and DC

Andrew J. Harrison, Jr. Madeline Ahlgren

January 16, 2009

David Gillespie, Esq.
U.S. Environmental Protection Agency
1445 Ross Avenue
Suite 1200, (6RCEW)
Dallas, TX 75202-2733

Re: Paco Swain Realty, LLC

Dear David:

Pursuant to our recent telephone conference, please find enclosed a completed Individual Ability to Pay Claim, Financial Data Request Form.

Be advised that this is a personal statement of the Managing Member of Paco Swain Realty, LLC and that submission of this form in no way constitutes nor should it be considered as an admission of any liability on the part of any entity or person. Furthermore, any liability is hereby specifically denied as are the claims of the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency with regard to the allegations related to the Paco Swain Realty, LLC properties.

We reserve the right to assert any and all defenses to any action in relation to the issues raised by those two governmental agencies and specifically deny that any of the properties referenced therein are jurisdictional under the Clean Water Act.

Please also consider the documents herein submitted solely for the purpose of a claim of inability to pay and these documents should be considered Confidential Business Information and withheld from files that are available to any person other than those necessary to make a determination on the inability to pay claim. These documents and the information contained therein should not otherwise disseminated to any person.

I look forward to hearing from you after your review of this enclosure.

With kindest personal regards, I remain

HARRISON LAW, LLC

Andrew J. Haprison, Jr.

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